

UNITED STATES DISTRICT COURT

for the

Northern District of California

Civil Action No. C08-01052 MHP
Second Amended Complaint

I. MICHAEL ROSS

Plaintiff

v.

TOMLAB OPTIMIZATION AB, TOMLAB
OPTIMIZATION, INC., and ANIL RAO

Defendant

Summons in a Civil Action

To: TOMLAB OPTIMIZATION AB

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Stuart C. Clark, Esq.
Christine S. Watson, Esq.
Carr & Ferrell LLP
2200 Geng Road
Palo Alto, California 94303

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: JUL 28 2008

Richard W. Wieking

Name of clerk of court

GINA AGUISTINE-RIVAS

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)